IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 535 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.C.SRIVASTAVA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KANDLA PORT KARMACHARI SANGH

Versus

KANDLA PORT TRUST

Appearance:

MR TR MISHRA for Petitioner

MR SR BRAHMBHATT for Respondent no.1.

CORAM : MR.JUSTICE D.C.SRIVASTAVA

Date of decision: 02/05/2001

ORAL JUDGEMENT

#. The respondents are served. Shri SR Brahmbhatt appears for the respondent no.1. Respondent no.2 is served, but none appears on his behalf. Heard Shri TR Mishra, learned counsel for the petitioner and Shri SR Brahmbhatt for the respondent no.1 on admission of the

petition. Looking to the averments in the petition, it can be finally disposed of at the admission stage.

#. Order dated 27-6-1996 Annexure-'A' shows that a direction was given by this Court in SCA No.2580/1996 decided on 27-6-1996 to the Industrial Tribunal, Rajkot to decide Industrial Dispute Case No.23/1993 preferably by 31-1-1997. The grievance of the petitioner is that, since then the said Industrial Dispute Case is pending and it has not been decided. It appears that, in the intervening period, the Tribunal at Rajkot was not functional. Now, Shri Mishra informs that both the Tribunals at Rajkot have become functional. Consequently, the reliefs prayed in this petition have become infructuous. However, since the Industrial Dispute Case No.23/1993 is still pending, relief in the moulded form can be given with a direction to the concerned Industrial Tribunal at Rajkot, where this Industrial Dispute Case is pending, to decide the same expeditiously, positively within a period of five months from the date of communication of this order.

#. With the above direction, the writ petition is finally disposed of with no order as to cost. Direct service is permitted.

May 2, 2001. [D.C. Srivastava, J.]

/sakkaf